

REMARKS

Claims 1-7, 9-10, 12-17, 22-24, 26, 38, 40, and 41 are pending in this application. In the Office Action, claims 1-3, 5-13, and 45 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,168,126 (Stafford); claim 4 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stafford in view of U.S. Patent No. 4,717,131 (Dugas); claims 14-17 were objected to as being dependent upon a rejected base claim; and claims 22-24, 26, 38, 40, and 41 were allowed.

By this amendment, Applicant has cancelled claims 11 and 45 and amended claims 1, 8, 12, and 14. Reconsideration in view of the following remarks is respectfully requested.

1. REJECTION OF CLAIMS 1-3, 5-13, AND 45

The Office rejected claims 1-3, 5-13, and 45 as allegedly being anticipated by Stafford. Claims 11 and 45 have been cancelled without prejudice. With regard to the remaining claims, Applicant respectfully submits that Stafford fails to teach all the limitations of the claimed invention. In particular, Stafford fails to teach "a housing including a housing coupling, wherein the second end of the rod is coupled within the housing coupling" as claimed in amended claim 1. The Office cites Stafford's support member assembly 18 as allegedly disclosing the rod of the claimed invention, and Stafford's T-shaped, height adjustable vertical axis adjustable clevis assembly 20 as allegedly disclosing the housing of the claimed invention. Even if, *arguendo*, this interpretation is correct, Applicant respectfully submits that Stafford fails to disclose that "the second end of the rod is coupled *within* the housing coupling" (emphasis added) as in the claimed invention. In particular, FIG. 2 of Stafford clearly shows that a bottom shaft 84 of the

clevis assembly 20 is inserted into a threaded opening 72 of the support member assembly 18.

As a result, Stafford's support member assembly 18 is not coupled *within* the clevis assembly 20.

With further regard to claims 8-10, and 13, Applicant respectfully submits that Stafford fails to disclose "a u-shaped channel affixed to the housing coupling" as claimed in amended claim 8. This configuration is clearly shown in FIGS. 2, 3B, and 5A in which channel 28 is shown having a u-shape. The benefit of such a configuration is shown in FIG. 1 in which multiple rods 22 are shown attached using the claimed housing at various relative angles. This configuration is clearly absent from Stafford. The Office cites end 88 of bottom shaft 84 as allegedly disclosing a channel. However, as is clearly shown, end 88 comprises a tubular region that does not provide the flexibility of the u-shaped channel of the claimed invention.

Since at least these claimed features are not taught by Stafford, Applicant respectfully requests withdrawal of the rejection of claims 1-3, 5-10, and 12-13 as allegedly being anticipated by Stafford.

II. REJECTION OF CLAIM 4

The Office rejected claim 4 as allegedly being unpatentable over Stafford in view of Dugas. Applicant notes that the Office relies upon the previous rejection of claims 1 and 3 from which claim 4 depends. Even if, *arguendo*, the combination of Stafford and Dugas is proper, Applicant respectfully submits that all the claimed limitations are not shown by the combination of Stafford and Dugas. As a result, Applicant respectfully requests withdrawal of the rejection of claim 4 as allegedly being anticipated by Stafford in view of Dugas.

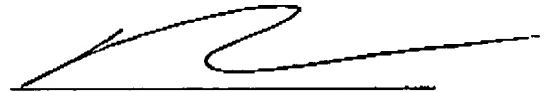
III. OBJECTION TO CLAIMS 14-17

The Office objected to claims 14-17 as being dependent upon a rejected base claim. In response, Applicant has rewritten claim 14 in independent form. As a result, Applicant respectfully requests withdrawal of this objection.

IV. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,



Ronald A. D'Alessandro
Reg. No.: 42,456

Date: 3/16/03
Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Madelone

Art Unit: 3632

Serial No.: 09/368,011

Docket No.: MADE-0001

Filing Date: 08/03/1999

Examiner: Wood, K.

Title: UNIVERSAL FIXTURE SYSTEM AND BASE THEREFOR

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

VERSION OF CLAIMS WITH MARKINGS TO SHOW THE CHANGES MADE

1. (Twice Amended) A fixture system comprising:

a base having at least one set of support brackets;

a first support member, adapted for connection to at least one of the support brackets,

wherein the support member includes a shaft having a threaded coupling joined thereto;

a first connector, extending through one of the set of support brackets and the shaft, for
securing the support member to the one set of support brackets; [and]

a rod having a first end and a second end, wherein the first end is coupled to the coupling;

and

a housing including a housing coupling, wherein the second end of the rod is coupled
within the housing coupling.

8. (Amended) The system of claim 1, wherein the housing further includes a u-shaped channel affixed to the housing coupling. [further comprising a housing that engages the rod, wherein the housing comprises:

a channel; and

a housing coupling affixed to the channel.]

12. (Amended) The system of claim [11]1, further comprising means for securing the second end of the rod to the housing coupling.

14. (Amended) [The system of claim 13, further comprising] A fixture system comprising:

a base having at least one set of support brackets;

a first support member, adapted for connection to at least one of the support brackets,

wherein the support member includes a shaft having a threaded coupling joined thereto;

a first connector, extending through one of the set of support brackets and the shaft, for securing the support member to the one set of support brackets;

a rod having a first end and a second end, wherein the first end is coupled to the coupling;

a housing that engages the rod, wherein the housing comprises:

a channel; and

a housing coupling affixed to the channel;

a second support member coupled to the housing, wherein the second support member also includes a shaft having a coupling joined thereto; and

a second connector for securing the second support member to the housing.